

Edn. & P.H. (19 40) Department.

MS SERIES

G.O. No. 2213

7.

Dated 25-5-1940.

[Despatch Abstract.]

Buildings - Rules - Hospet municipality - Sri E. Anjaneyulu -
Council's resolution granting exemption from building rules
Cancellation - Notice to show cause against - Issued.

Municipal

DEPARTMENT.

15491
~~15491~~

Received

11 APR 1940

Registered

19

Subject.

Building - construction of Building - by B. Anjaneyulu -
Hospet contravening building rules - orders - requested.

ENCLOSURES.

No.

File of
64 pages

Spare copies

H. P No. 550/39.

Station Hospet., Dated the 2nd April 1940

From (Name) Sri. N. G. Reddy, B.A., (Cantab)
(Designation) Commissioner, Hospet Municipality,

Hospet.

To The Secretary to the Government of Madras,

Education & Public Health

Department.
Madras.

Through

Sir,

The Chairman,
Municipal Council,
Hospet.

One Sri. B. Anjaneyulu, applied for the construction of
a room vide page 1 in Koulpet III ward. As the proposed
construction is not in accordance with the rules No. 8 and 24
of the building rules framed in G.O. No. 1621 P.H.
dated 30-7-32, permission for the ^{construction} ~~erection~~ of the said
building was refused and a copy of the order was communicated
vide page 13.

the party began with the
In the mean while/the construction of the building. He
was served with a notice vide page 15 to stop the work and to
show cause why action should not be taken under section 317
of the District Municipalities Act. The party was prosecuted

For read

Jmm Book no. 1

G. U. 40
not put up

Chandram, M. C.

M

for the offence and ~~was~~ fined vide page 39. In reply to the refusal order served on him the party appealed to the council and requested to grant him the necessary licence vide page 17. The grounds of appeal are:-

(1) That the site available for construction measures ~~11~~ 18 $\frac{3}{4}$ ' x 19 $\frac{3}{4}$ ' and that he cannot erect a building if he leaves open space as required by building rules as the site is very small,

(2) That the house is situated in the old town and the building rules do not apply to old buildings situated in old town and they are only applicable to building that are being constructed in the extensions,

and (3) that he has no other space except this and that he is very poor.

Construction

The party continued the ~~construction~~ in spite of special notice served on him vide page 23.

The appeal ~~petition~~ petition was placed in the council and the council in its resolution No. 1184 dated 18-1-40 vide page 41 granted the licence, though the building contravenes the building rules 8 and 24.

Under the circumstances I request the Government to pass orders whether the Council's resolution may be given effect to.

p. 45 infra

The whole file containing (64) pages along with the plan showing the position of the building is herewith sent. It may kindly be returned soon after it is done with.

BN/3-4.

E. J.
M. H. O.

d.
4.4.40

K. S. Rao
Commissioner. 6/4/40.

15491

Wes
22/4

To the D.T.P. (with the ot. in
original to be returned with reply)

By	Van
Dpr'n	193
Date	

with end
23/4

Item J.No. 15491 from the Commissioner
Hospet Municipality.
H.P. No. 550/39 dated 2.4.40

Subject:- Building - Rules - Hospet
Municipality - Sri. B.
Anjaneyulu --- relaxation.

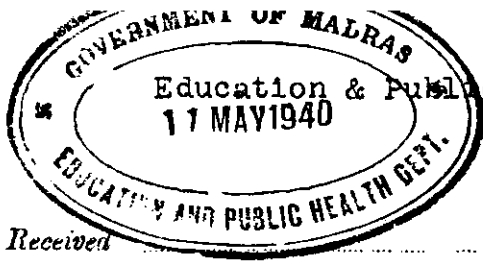
Memo No. 15491-1-F-P.H. D 22.4.40

Referre. to the D.T.P. for remarks.

Wes
12.4.40

12/4

Wes
19.4.40



Education & Public Health ~~DEPARTMENT~~.

19896

Received 19 . Registered 19

Subject.

Buildings - Rules - Hospet Municipality - Sri B. Anjaneyulu. Relaxation.

ENCLOSURES.

No.

Spare copies.

DTP. No. 1109/40

Station..... Madras....., Dated the..... 9th May 1940..... 19
10.

From (Name)..... S. Ranganathan Esq., O.B.E., I.C.S.,.....

(Designation)..... Ex-officio Director of Town Planning,
Madras.

To The Secretary to the Government of Madras,

. Education & Public Health Department.

167 Sir,
Ref: Govt. Memo. No. 15491-1 F P.H. dated 22-4-1940

Resubmitted.

2. The construction infringes rules 8 & 24 of the Building Rules. The site itself is too small for a dwelling house to be built upon with adequate open space about it and consequently is even unfit for a dwelling house to be put up.

3. The resolution of the council granting license for the construction is contrary to the statutory building rules and beyond its powers. The Government may cancel the

resolution.

Lab
8/9/5-

Ron Lankau
for Ex-officio Director
of Town Planning.

S.C.9/5

E & P. H. Dept.

Date. Initials.

SUBJECT :—

When received for
fair copying ..

When copied ..

When examined...

When signed _____

When despatched.

READ AGAIN

, dated _____ 19____

READ ALSO :—

C. No. 15491 From the Const. Hsptl No. 550/39 dated 2-4-1948
municipality

19

... 19896 " D. T. P. " 1109/40 " 10-5-1940

Order Ms. No. 2213, dated 25-5-40 19

P. 434

page 19 of 19

In its resolution no. 1184 dated 18.1.40 the Hospet' m. cl. has granted permission to Sri B. Arizanyulu for the construction of a room in contravention of the Building Rules. The m. cl. has no power to exempt any building from the operation of any of the Building Rules but can only recommend to govt. deserving cases for exemption. The Hospet m. cl. has thus exceeded the powers vested in it by law in having

passed the resolution
aforesaid. It is hereby called
upon, under the proviso
to sub clause (b) of clause (i),
of sub. section (1) of
section 36 of the M. D. M.
Act, 1920, to show cause
within a fortnight from
the date of receipt of
this order why its resolution
no. 1184 dated 18.1.40
should not be cancelled.

Urgent

15491

P 43 of

by
17.5.40.

DRY
21.5.40

by
17/5

To

The Baux Hospital
Municipality through
The C. M. C. Hospital
The D. T. P.

Prd. by	Van
Prd's init.	17.5
Prd's	102